

**REMARKS**

The specification has been amended to address the Examiner's objection to the drawings. The Examiner stated that the drawings do not depict primary and secondary heat sinks. The specification has been amended to point out that the heat sinks 108 and 204 of Figures 1 and 2 respectively are secondary heat sinks. Primary heat sinks, such as heat sink 405 (Figure 4), heat sink 505 (Figure 5) and heat sink 605 (Figure 6) can be attached to a secondary heat sink, as already indicated by the specification. This amendment should be sufficient to address the drawing objection. No new matter is added.

In the Office Action the Examiner rejected the claims under 35 USC § 103 based on a combination of Hanley, Hochstein, Hartley and Koehler. Applicants traverse this rejection. Applicants assert that these references are not combinable, and even if combined, the references do not yield the claimed invention. Prior art mining lights often cause fire and explosions within mines because they create sparks which ignite flammables within the mine. Applicants' use of an LED light module in a sparkless electrical connection to a sealed battery within a remote battery pack is not taught by the references.

Hochstein pertains to LEDs and heat sinks generally, but there is absolutely no suggestion in Hochstein to apply LEDs and heat sinks to the problem of creating a sparkless mining light. Nor do any of the other references suggest using Hochstein's structures in the mining light field. It would be improper to take a reference from outside of the field of the invention as the prior art contains no suggestion or motivation to do so. Therefore any rejection based on Hochstein should be withdrawn.

With regard to Hartley, his objective is to place batteries adjacent the light module rather than in a remote location. Therefore Hartley teaches away from the sparkless LED configuration of Applicants' light and tends to show that Applicants' invention is non-obvious.

Hanley discloses a fireman's light. However, there is no suggestion in the pertinent field to seek out a primary and secondary heat sink combination with an LED chip to produce a sparkless

mining light with a remote battery. Yet it is the primary and secondary heat sink combination which allows Applicants' light to run cool enough to generate bright light from LEDs. Therefore Hanley is not combinable to yield Applicants' claimed invention.

Koehler pertains to underwater diving. Generally when the mining industry looks for equipment, it does not look to the field of scuba diving. Nor does scuba diving create the same flammability risks as coal mining. Therefore Koehler is non-analogous art and all rejections based on Koehler should be withdrawn.

Applicants' sparkless configuration which uses an LED and heat sink combination is not suggested by the references.

Although it is possible to argue in hindsight that these elements should be combined, since there is absolutely no suggestion in the mining light art to combine them, the combination would yield a patentable invention even without the additional features and limitations added by Applicants.

For these reasons, reconsideration is requested. The application is believed to be in condition for allowance. If any fees are due, those fees should be charged to Deposit Account No. 50-0581.

Respectfully submitted this 21<sup>st</sup> day of July, 2006.



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